

February 27, 2012

Ms. Christine McDonald
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Ms. McDonald:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover through fees approximately 90 percent of its Fiscal Year (FY) 2012 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. The NRC's FY 2012 proposed fee rule is based on the NRC appropriation stated in the Consolidated Appropriations Act, 2012, Public Law 112-74. By law, the NRC is required to collect all fees by September 30, 2012.

In order to comply with the law, the Commission is proposing to amend its fee regulations in 10 CFR parts 170 and 171. Based on the FY 2012 appropriation, the NRC is required to recover approximately \$909.5 million in FY 2012. The amendments to 10 CFR part 170 would revise the professional hourly rate and flat license application fees charged to licensees and applicants. The hourly rate used to assess 10 CFR part 170 fees would increase to \$274.

The amendments to 10 CFR part 171 would establish the amount of the FY 2012 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR part 170 fees. Compared to FY 2011, the proposed FY 2012 annual fees for operating reactors, spent fuel storage facilities, research and test reactors and uranium recovery facilities would decrease while those for material users, the U.S. Department of Energy (DOE), and fuel facilities would increase.

Enclosed is a copy of the proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

/RA/

Jennifer Golder, Budget Director
Office of the Chief Financial Officer

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171